

## 4.0 CONSULTATION AND COORDINATION

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### 4.1 Public Involvement

Reclamation's approach to preparing the RMP and associated EA has been to involve the public, particularly by developing a dialogue with local stakeholder groups. The goal of the public involvement process was to make sure that all stakeholders, including the general public, have ample opportunity to express their interests, concerns, and viewpoints, and to comment on the plan as it was developed. By fostering two-way communication, Reclamation was also able to use the talents and perspectives of local user groups and agencies during the alternatives development process.

Reclamation's public involvement process has involved the following five key components:

- **Newsbriefs**—A newsletter was initially mailed to more than 140 user groups, nearby residents, and agencies. The mailing list is continuously expanded as more interested parties are identified. Three newsbriefs were released during the RMP development process, and one more was released upon completion of this Final EA and the RMP.
- **Public Meetings/Workshops**—Two public meetings were held in the RMP/EA planning process. One was held early on in the process to solicit public input (scoping) related to issues and opportunities, and the other was held after the release of the Draft EA to take public comments. Public meetings were held in Emmett, Idaho.
- **Ad Hoc Work Group**—This group consisted of approximately 19 representatives from interested groups and agencies. They met four times throughout the RMP development process to identify issues and assist with RMP update and alternatives development.
- **RMP Study Web Site**—The newsbriefs, draft materials, and meeting announcements were continuously updated throughout the project at a dedicated website on Reclamation's Pacific Northwest site: <http://www.usbr.gov/pn>. The final materials will also be posted at this site.
- **News Releases**—Periodically, Reclamation prepares news releases for distribution to local news media. Such news releases generally result in press coverage of the RMP process.

In March 2002, the first newsbrief introduced the RMP process, announced the first public meeting, and provided a mail-in form for submitting issues and initial comments on the management and facilities at Black Canyon Reservoir and Montour WMA. Approximately 10 of these response forms were returned. The results of the mail-in response form and the issues raised at the first public meeting were summarized in the second newsbrief, mailed November 2002. The third newsbrief was mailed in September 2003 and provided an update of the Ad Hoc Work Group (AHWG) process and announced the public meeting for the Draft EA. The fourth newsbrief announced the release of the Final EA and completion of the RMP.

The first public meeting was held on April 24, 2002, in Emmett. The purpose of this meeting was to conduct public scoping of the issues at Black Canyon Reservoir and the Montour WMA. Approximately 20 people attended the meeting. Reclamation provided information about the RMP

planning process, then the participants broke into small work groups to discuss important issues and opportunities the RMP should address.

The second public meeting was held on October 9, 2003, to take public comment on the Draft EA. Approximately 10 people attended the meeting, and a wide range of public access issues were discussed. Reclamation encouraged participants to also submit their comments in writing so that they could be formally addressed as part of this Final EA.

The AHWG met in June and August, 2002, and January and October 2003. As part of the August 2002 meeting, the group spent a day touring the Black Canyon Reservoir and Montour WMA Study Area and becoming more familiar with the issues. The 19 members were of considerable assistance in the alternatives development process. A wide variety of viewpoints was included in the group. The Preferred Alternative was arrived at through AHWG discussions, and the recommendations of agency specialists and planners. At the October 2003 meeting, the group reviewed the comments from the public meeting and offered final suggestions for the Preferred Alternative. The entities represented in the AHWG are listed in Table 4.1-1.

**TABLE 4.1-1**  
AHWG Represented Interests

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Adjacent Land Owners	Idaho Department of Fish and Game
Audubon Society	Idaho Northern and Pacific Railroad
Boating Interest	Idaho Transportation Department
Bureau of Land Management	Local Business Interest
City of Emmett	Natural Resources Conservation Service
Fishing Interest	North American Versatile Hunting Dog Association
Gem County Commissioners	Personal Watercraft Interest
Gem County Sheriff's Office	Shoshone-Bannock Tribes
Gem County Weed Control Board	Shoshone-Paiute Tribes
Gem Economic Development Association	

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### **4.1.1 Summary of Public Comments**

Reclamation's Draft EA of the Black Canyon and Montour WMA RMP was released for public review on September 30, 2003. The public comment period was open until November 14, 2003. During this period, Reclamation held a public meeting and an AHWG meeting in Emmett. Public comment forms were distributed to participants at both meetings. By the end of the public comment period, 16 individual or group comments were received. This count includes 11 people who submitted copies of the same comment, and one agency comment, which is discussed in Section 4.2.2, National Historic Preservation Act.

Reclamation thanks all of those who provided comments. The public comments, along with responses, are provided in Appendix D. Overall, comments focused on three main subject areas:

- **Additional pond acres:** Three respondents do not favor the creation of additional ponds at Montour WMA.
- **Recreational access:** Most respondents favor more recreational access and a diversity of uses. Two asked for maintenance of open grassy fields for dog training, some other people asked for improvements to boat ramps, and one person requested that an existing pond at Montour that is used for fishing be made available year-round rather than being subject to the seasonal waterfowl nesting closure. Most respondents indicated that the additional month proposed for the nesting closure is too restrictive. Many also asked that Cobblestone Park be open year-round and that special events be allowed at Montour.
- **No-wake zone upstream of Squaw Creek:** While one respondent supports the designation as proposed in the Preferred Alternative, the 11 people who submitted copies of the same comment feel that the no-wake zone starts too far downstream. They suggest that the no-wake zone should be started farther upstream so that a referred fishing area can continue to be accessed. They provided a map showing the location of their suggested location change.

Other concerns were expressed by one or two individuals. One such concern included a perceived emphasis on waterfowl production at the expense of upland game bird production at Montour. Another respondent felt that agency cooperation, seeking a managing partner, and continued monitoring of RMP implementation were critical success factors. Several other subjects were also addressed, as listed in Table 4.1-2.

**TABLE 4.1-2**  
Black Canyon Reservoir and Montour WMA RMP Draft EA—Comment Summary

Issue	Number of Comments	Summary of Comments
Support Preferred Alternative	3	Support Preferred Alternative, but have certain changes or recommendations.
Do Not Support a Specific Component of Preferred Alternative	11	The Preferred Alternative is too restrictive for motorized boat users.
	2	The Preferred Alternative does not consider the desires of dog trainers.
No Wake Zone	1	Designate no-wake zone near the mouth of Squaw Creek
	11	Designate no-wake zone further upstream of Squaw Creek (shown on respondent's map).
RMP Implementation Monitoring	1	Assure plan implementation through an established monitoring process to measure success.
Enforcement of Seasonal Closure at Montour	11	Request better enforcement of existing seasonal closure as there are currently many violations.
Agency Coordination and Managing Partners	1	Assure cooperation between agencies involved in the RMP. Actively search for a managing partner for the RMP.

**TABLE 4.1-2**

Black Canyon Reservoir and Montour WMA RMP Draft EA—Comment Summary

<b>Issue</b>	<b>Number of Comments</b>	<b>Summary of Comments</b>
Manage an Area for Dog Training	1	Maintain open grassy fields for dog training.
Provide Year-Round Recreation Pond	1	Establish one 10-acre pond for year-round fishing and other recreational opportunities.
Additional Ponds in Montour WMA	2	Do not support development of additional ponds in the WMA. Reasons include concern about the spread of weeds such as Eurasian milfoil, impingement upon available dry land for upland hunting, lack of adequate management of existing ponds, possibility of more extensive nesting closures with pond expansion, overemphasis on habitat for waterfowl versus pheasants, restrictions on space available for hunting.
	1	Additional ponds are acceptable, as long as they are placed and maintained appropriately.
Seasonal Nesting Extension of Nesting Season Closure at Montour	2	Do not extend the nesting closure. They do not believe it is needed at Montour.
	11	Change nesting habitat restrictions for the pond on south side of Shellrock Road to Feb. 1 to April 15 to allow fishing.
Recreation Access	1	Do not over-develop Montour (barriers, parking lots, fences).
	11	Improve boat ramps #1 and #2.
	11	Open gate for Cobblestone Park year-round.
Special Events	2	Allow special events in Montour WMA

**Note:** The number of comments indicated counts all of the 11 people who submitted copies of the same letter.

## 4.2 Agency Consultation and Coordination

Reclamation consulted with several Federal and local agencies throughout the RMP process to gather valuable input and to meet regulatory requirements. This coordination was integrated with the public involvement process.

### 4.2.1 Endangered Species Act

The evaluation of endangered species contained in the Draft EA served as Reclamation's biological assessment as required under the Endangered Species Act (ESA). It evaluated impacts to listed species and those proposed for listing including the Ute ladies'-tresses orchid, bald eagle, gray wolf, and bull trout. FWS provided comments on the Draft EA in their letter dated February 25, 2004. With the issuance of this FONSI and Final EA, Reclamation has determined that the Preferred Alternative may affect, but is not likely to adversely affect the bull trout, orchid, bald eagle, and gray wolf and will not result in any adverse effects on proposed bull trout critical habitat in Squaw Creek. The FWS concurs with this determination, and their letter is included in Appendix C.

## **4.2.2 National Historic Preservation Act**

Reclamation collected existing cultural resource information from the Black Canyon and Montour Study Area to prepare the Draft EA, and to facilitate subsequent compliance with the National Historic Preservation Act (NHPA). Coordination with the Idaho State Historical Preservation Office (SHPO) occurred in conjunction with public review of the Draft EA. SHPO stated their “cautious” support of the Preferred Alternative, but wanted to assure that as development increased, archeological resources would be preserved. SHPO submitted the following three comments on the Preferred Alternative:

- Ensure that archeological investigations are conducted in accordance with Section 106 of NHPA.
- Nominate the old Montour town site as a historic district for the National Register of Historic Places.
- Focus public interpretation on the history and prehistory of the Payette River and Montour Valley.

All of these comments are in accordance with management actions described in the Preferred Alternative that will be incorporated in the RMP. In addition, it is understood that specific, future undertakings in response to specific RMP prescriptions will require consultations with the SHPO and the Tribes pursuant to the 36 CFR 800 regulations.

## **4.3 Tribal Consultation and Coordination**

### **4.3.1 Government-to-Government Consultation with Tribes**

The RMP and EA were distributed to representatives from the Shoshone-Bannock, Shoshone-Paiute, and Nez Perce Tribes. Tribal representatives that will receive the Final EA are listed in Chapter 7, Distribution List.

### **4.3.2 Indian Sacred Sites (Executive Order 13007)**

Reclamation informed the Shoshone-Bannock, Shoshone-Paiute, and Nez Perce Tribes about the RMP through written notifications and meetings.

### **4.3.3 Indian Trust Assets (ITAs)**

Reclamation coordinated with the Shoshone-Bannock, Shoshone-Paiute, and Nez Perce Tribes to identify ITAs. These are discussed in Chapter 3, Section 3.16, Indian Trust Assets.

### **4.3.4 Other Laws and Regulations**

The relationship between Federal agencies and sovereign Tribes is defined by several laws and regulations addressing the requirement of Federal agencies to notify or consult with Native

American groups or otherwise consider their interests when planning and implementing Federal undertakings. Among these are the following:

- National Environmental Policy Act (NEPA)
- Executive Order 12875, Enhancing the Intergovernmental Partnership
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- Presidential Memorandum: Government-to-Government Relations with Native American Tribal Governments, April 29, 1994.
- Executive Order 13175, Consultation and Coordination with Indian Tribal Governments

Reclamation has adhered to these laws and regulations as applicable to the development of the Final EA and the RMP.